

2011 DRAFTING REQUEST

Bill

Received: **09/28/2010**

Received By: **pkahler**

Wanted: **As time permits**

Companion to LRB:

For: **Administration-Budget**

By/Representing: **Grimsrud**

May Contact:

Drafter: **pkahler**

Subject: **Dom. Rel. - miscellaneous**
Public Assistance - misc

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Grimsrud, BB0058 -

Topic:

Transfer of filled positions

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 10/04/2010	jdye 10/05/2010		_____			
/P1			jfrantze 10/05/2010	_____	cduerst 10/05/2010		

FE Sent For:

<END>

2011 DRAFTING REQUEST

Bill

Received: **09/28/2010**

Received By: **pkahler**

Wanted: **As time permits**

Companion to LRB:

For: **Administration-Budget**

By/Representing: **Grimsrud**

May Contact:

Drafter: **pkahler**

Subject: **Dom. Rel. - miscellaneous**
Public Assistance - misc

Addl. Drafters:

Extra Copies: **JLD**

Submit via email: **NO**

Pre Topic:

DOA:.....Grimsrud, BB0058 -

Topic:

Transfer of filled positions

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler	PI 10/5 JLD	J	10/15			

FE Sent For:

<END>

2011-13 Budget Bill Statutory Language Drafting Request

- Topic: Transfer of Filled Positions – Administrative Transfers (5500)
- Tracking Code: BBDD 58
- SBO team: Education, Children & Families
- SBO analyst: Sarah Grimsrud
 - Phone: 266-2288
 - Email: Sarah.Grimsrud@Wisconsin.gov
- Agency acronym: DCF
- Agency number: 437
- Priority (Low, Medium, High): High

Intent:

- See attached paper.

**Department of Children and Families
2011-13 Biennial Budget
Statutory Language Request**

DIN: 5500 – Administrative Transfers

Topic: Transfer of Filled Positions

Current Language:

None

Proposed Change:

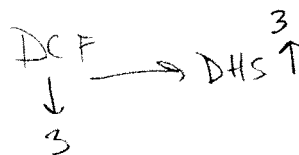
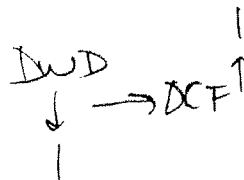
Create a non-statutory provision specifying that on the general effective date of the bill, the Department of Workforce Development shall transfer to the Department of Children and Families the incumbent, if any, of one position the duties of which are primarily associated with local agency reimbursement contracts for programs administered by the Department of Children and Families. Also provide that on the general effective date of the bill, the Department of Children and Families shall transfer to the Department of Health Services, the incumbent or incumbents, if any, of three positions the duties of which are primarily associated with automation security for the Client Assistance for Reemployment and Economic Support (CARES) system. Provide that the incumbents, if any, identified for transfer under these provisions shall retain all rights attained in their positions in the originating agencies.

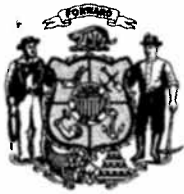
Justification:

The B-2s associated with this DIN reduce position authority in DWD by 1 FTE and increase it in DCF by 1 FTE for the first transfer, and reduce position authority in DCF by 3 FTE and increase it in DHS by 3 FTE for the second transfer. It is traditional in such cross-agency transfers to include non-statutory language to protect the rights of any incumbents transferred. Unlike transfers of entire programs across agencies, though, the incumbents of these positions perform functions (contract accounting and security for certain information technology applications). No specific programs of either agency are being transferred. As a result, the non-statutory provision should focus on the rights of any incumbents identified for transfer, as opposed to transferring programmatic assets and liabilities.

Desired Effective Date: Upon enactment

Agency Contact: Bob Nikolay
261-4349





State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-01537

PJK:.....

jld

P1

DOA:.....Grimsrud, BB0058 - Transfer of filled positions ✓

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

LPS - Run
spell check
please

LPS-check
auto refs

(in 10-4)

do not
you cut

✓

1 AN ACT; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES ✓

OTHER HEALTH AND HUMAN SERVICES ✓

This bill transfers from DWD to DCF one position, and any incumbent employee holding that position, that is primarily related to local agency reimbursement contracts for programs administered by DCF. The bill also transfers from DCF to DHS three positions, and any incumbent employee or employees holding those positions, that are primarily related to automation security for the Client Assistance for Reemployment and Economic Support (CARES) system. All transferred incumbent employees retain the same rights and status after the transfer that they enjoyed before the transfer. ✓

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 9108. Nonstatutory provisions; Children and Families. ✓

3 (1) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT. ✓

4 (a) Positions and employees. On the effective date of this paragraph, three
5 positions and the incumbent employee or employees, if any, holding those positions

3

1 in the department of children and families[✓] performing duties that are primarily
2 related to[✓] automation security for the[✓] Client Assistance for Reemployment and
3 Economic Support system, as determined by the secretary of administration[✓], are
4 transferred to the department of health services[✓].

5 (b) *Employee status.*[✓] Any employee^e transferred under paragraph (a) has all
6 the rights and the same status under subchapter V of chapter 111[✓] and chapter 230[✓]
7 of the statutes[✓] in the department of health services[✓] that he or she enjoyed in the
8 department of children and families[✓] immediately before the transfer.
9 Notwithstanding section 230.28 (4)[✓] of the statutes, no employee so transferred who
10 has attained permanent status in class is required to serve a probationary period.[✓]

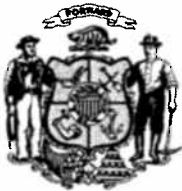
11 **SECTION 9154. Nonstatutory provisions; Workforce Development.**[✓]

12 (1) LOCAL AGENCY REIMBURSEMENT CONTRACTS.[✓]

13 (a) *Positions and employees.*[✓] On the effective date of this paragraph[✓], one
14 position and the incumbent employee[✓], if any, holding that position in the department
15 of workforce development[✓] performing duties that are primarily related to local
16 agency reimbursement contracts[✓] for programs administered by the department^t of
17 children and families[✓], as determined by the secretary of administration, are
18 transferred to the department of children and families[✓].

19 (b) *Employee status.*[✓] Any employee transferred under paragraph (a) has all the
20 rights and the same status under subchapter V of chapter 111[✓] and chapter 230[✓] of the
21 statutes in the department of children and families[✓] that he or she enjoyed in the
22 department of workforce development[✓] immediately before the transfer.
23 Notwithstanding section 230.28 (4)[✓] of the statutes, no employee so transferred who
24 has attained permanent status in class is required to serve a probationary period.[✓]

25 (END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0153/P1
PJK:jld:jf

DOA:.....Grimsrud, BB0058 - Transfer of filled positions

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT** ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

This bill transfers from DWD to DCF one position, and any incumbent employee holding that position, that is primarily related to local agency reimbursement contracts for programs administered by DCF. The bill also transfers from DCF to DHS three positions, and any incumbent employee or employees holding those positions, that are primarily related to automation security for the Client Assistance for Reemployment and Economic Support (CARES) system. All transferred incumbent employees retain the same rights and status after the transfer that they enjoyed before the transfer.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 9108. Nonstatutory provisions; Children and Families.**

3 (1) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT.

4 (a) *Positions and employees.* On the effective date of this paragraph, 3 positions
5 and the incumbent employee or employees, if any, holding those positions in the

1 department of children and families performing duties that are primarily related to
2 automation security for the Client Assistance for Reemployment and Economic
3 Support system, as determined by the secretary of administration, are transferred
4 to the department of health services.

5 (b) *Employee status.* Any employee transferred under paragraph (a) has all the
6 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
7 statutes in the department of health services that he or she enjoyed in the
8 department of children and families immediately before the transfer.
9 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
10 has attained permanent status in class is required to serve a probationary period.

11 **SECTION 9154. Nonstatutory provisions; Workforce Development.**

12 (1) LOCAL AGENCY REIMBURSEMENT CONTRACTS.

13 (a) *Positions and employees.* On the effective date of this paragraph, one
14 position and the incumbent employee, if any, holding that position in the department
15 of workforce development performing duties that are primarily related to local
16 agency reimbursement contracts for programs administered by the department of
17 children and families, as determined by the secretary of administration, are
18 transferred to the department of children and families.

19 (b) *Employee status.* Any employee transferred under paragraph (a) has all the
20 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
21 statutes in the department of children and families that he or she enjoyed in the
22 department of workforce development immediately before the transfer.
23 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
24 has attained permanent status in class is required to serve a probationary period.

25 (END)